IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 13022 of 2005

Between:

All Religious Welfare Society Registered No. 1205 of 1993)
Rep. by its Secretary Mr. Akbar A.Khan S/o M.Mahaboob A. Khan,
Off: R/o 8-1-21, Suryanagar Colony, Toli Chowki, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad City.
2 The Station House Officer, Golconda Police Station,
3 Syed Mohd. Hamed Hussain,
4 Yousuf Shareef
5 Smt. Basheerunnisa Begum, w/o Khazi Nawaz Jung,
6 Smt. Rasheedunnisa Begum, D/o Khazi Nawaz Jung,
All are residents of 22-3-343/1, Osman Cottage Puranai Haveli,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents 1 and 2 in not acting upon the complaint of the petitioner society in relation to the offences committed the respondents 3 to 6 as illegal and arbitrary and consequently direct the respondents 1 and 2 to act upon the said complaint and to take appropriate action in accordance with law thereon and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.ROY REDDY

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

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ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The grievance of the petitioner in this writ petition is that the S.H.O, Golconda Police Station has not taken any action on the representation of the petitioner dated 24-5-2005, 25-5-2005 and 26-5-2005 wherein they had complained that respondents 3 to 6 had trespassed into the society's property and that they had also intimated the same to the 1st respondent on 27-5-2005. It is stated in the affidavit filed in support of the writ petition that on 13-6-2005 and 15-6-2005, the unofficial respondents had trespassed into the premises in question, threatened the office bearers of the society and asked them to vacate the premises regarding which they had intimated the 2nd respondent by way of a legal notice dated 10-6-2005.

On a complaint being filed, the 2nd respondent – S.H.O. is required to register the complaint and investigate the matter in accordance with law.

The learned Government Pleader for Home, who took time for obtaining instructions when the matter came up earlier, submits that she has not received any instructions so far

Mr.P. Roy Reddy, learned counsel for the petitioner submits that the petitioner society will file a detailed complaint before the 2nd respondent by 28-6-2005. There shall be a direction to the 2nd respondent to register the complaint and investigate same in accordance with law.

The writ petition is accordingly disposed of. No costs.

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24-6-2005

Note:

Issue C.C. forthwith

B/o

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To:

1 The Commissioner of Police, Hyderabad City.
2 The Station House Officer, Golconda Police Station,
3. Two C.Cs. to G.P. for Home. High Court buildings, Hyderabad (OUT)

4. Two C.D. copies